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Attorneys for Plaintiff and Cross-Defendant
FRITZI BENESCH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRITZI BENESCH,

Plaintiff,

v.

SHARON GREEN; and DOES 1 through 10,
inclusive,

Defendants.

SHARON GREEN,

Cross-Complainant,

v.

FRITZI BENESCH, and ROES 1 through 25,
inclusive,

Cross-Defendants.

Case No. C 07-3784 EDL

**STIPULATION AND [PROPOSED]
ORDER FOR CONTINUANCE OF
INITIAL CASE MANAGEMENT
CONFERENCE AND RELATED DATES**

Date: October 30, 2007

Time: 10:00 a.m.

Ctrm: Courtroom E, 15th Floor

Judge: Hon. Elizabeth D. Laporte

1
2 By and through their respective counsel, the parties to the above-captioned action hereby
3 stipulate as follows:

4 WHEREAS, on July 24, 2007, the Court issued an order that, *inter alia*: (1) set an October
5 23, 2007 deadline for filing the Rule 26(f) report, completing initial disclosures or objecting
6 thereto in the Rule 26(f) report, and filing the case management statement for the initial case
7 management conference; and (2) set the initial case management conference for October 30, 2007
8 at 10:00 a.m.;

9 WHEREAS, lead trial counsel for plaintiff and cross-defendant Fritz Benesch is
10 unavailable to participate in an October 30 initial case management conference, due to pre-existing
11 scheduling conflicts;

12 WHEREAS, the Court has indicated its availability for case management conferences at
13 10:00 a.m. on all Tuesdays in November 2007;

14 WHEREAS, the parties are discussing the further handling of this action and
15 plaintiff/cross-complainant has raised the issue of whether a stay of this action, including a stay of
16 all discovery matters, may be warranted;

17
18 NOW, THEREFORE, THE PARTIES mutually request the Court to modify the schedule
19 with respect to the initial case management conference and related deadlines as follows:

- 20 1. The last day to file the case management statement for the initial case management
21 conference (per the Court's Standing Order re: Contents of Joint Case Management
22 Statement, attached to the Court's July 24 order) shall be continued from October
23 23, 2007 to **November 6, 2007**;
- 24 2. The initial case management conference shall be continued from October 30, 2007
25 to **November 13, 2007** at 10:00 a.m., in Courtroom E, 15th Floor, San Francisco;
- 26 3. The last day to file the Rule 26(f) report and to complete initial disclosures or state
27 objections thereto in the Rule 26(f) report shall be continued from October 23,
28

2007 to **December 7, 2007.**

SO STIPULATED.

DATED: October 22, 2007

COBLENTZ, PATCH, DUFFY & BASS LLP

By: //s//

A. Marisa Chun
Attorneys for Plaintiff and Cross-Defendant
FRITZI BENESCH

DATED: October 22, 2007

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: //s//

Steven D. Wasserman
Attorneys for Defendant and Cross-Claimant
SHARON GREEN

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: October ___, 2007

By:

Hon. Elizabeth D. Laporte
United States Magistrate Judge